IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 3107 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr. S.V. Marwadi for the applicant.
Mr. P.A. Pol, A.P.P. for the State.

CORAM : S.C. DHARMADHIKARI, J.
DATE : 28TH AUGUST, 2006

P.C.

. The applicant before me is the original accused No.8. His application for bail along with others being Criminal Application No.267/2006 was rejected by the trial Court.

2. The only reason probably assigned for rejecting the application is that there is direct evidence of complainant and recovery of the weapons from the applicant.

3. The complaint of Mr. Marwadi is that in facts and circumstances of the present case, when it was specifically alleged that there are no other external injuries and in any event there is no material with regard to the role of the present applicant in the crime, the application could not have been rejected in this manner. There is much substance in the complaint of Mr. Marwadi. However, without entertaining the bail application here, it would be appropriate, if the applicant is granted liberty to apply for bail afresh to the trial Court and such application shall be considered, if filed, as expeditiously as possible and without being influenced by the order on the earlier bail application so also disposal of the instant application. All contentions are kept open.

. Application is disposed of.

(S.C. DHARMADHIKARI, J.)